



**United States Attorney's Office
Eastern District of Michigan**

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PRESS RELEASE

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THREE INDIVIDUALS INDICTED FOR CONSPIRACY TO VIOLATE THE CLEAN AIR ACT AND FALSE STATEMENTS

Three individuals from New York have been indicted for conspiracy to violate the Clean Air Act and for false statements to the Michigan Department of Environmental Quality (MDEQ) for events involving the illegal removal of asbestos in June 2008 in Michigan. The announcement was made by United States Attorney Barbara L. McQuade for the Eastern District of Michigan, and Randall Ashe, the Special Agent-in-Charge of the Environmental Protection Agency's criminal enforcement program in Chicago.

Indicted were Peter DeFilippo (a.k.a. Charlie DeVito), 47, David Olsen, 30, Joseph Terranova, 65, and Excel Demo, Inc.

The illegal removal of asbestos-containing materials occurred in June 2008 in Belleville, Michigan, at Harbour Club apartments. One of the buildings at Harbour Club had been destroyed by fire in January 2008 and was slated for demolition. According to an asbestos survey conducted in May 2008, over 30,000 square feet of asbestos-containing materials were present in the building. According to the indictment, Peter DeFilippo, as the owner of Excel Demo, Inc., a general contracting firm in New York, instructed David Olsen to remove the asbestos, in order to avoid paying for the asbestos to be properly abated. Olsen used temporary laborers to remove the asbestos, without the presence of a certified professional, and without using proper techniques according to work practice standards which have been published for demolition and renovation of certain facilities containing asbestos, and for the handling of asbestos-containing materials to prevent the discharge of asbestos particles.

Joseph Terranova supervised capital projects for GFI Management Services, Inc., the property management company for Harbour Club. According to the indictment, he was also aware of the asbestos-containing materials in the building and the fact that DeFilippo and Olsen planned to remove the materials in violation of the law.

"The U.S. Attorney's Office is focusing on environmental crimes because our natural resources are Michigan's most valuable assets," McQuade said. "Offenders who harm our clean air or clean water will be held accountable."

"Exposure to asbestos can be fatal, and unsafe asbestos removal practices put the health of both the workers and the public at risk," said Ashe. "These arrests show that the government will take action against those who are alleged to have broken the law."

The defendants were arrested in the Eastern District of New York and Eastern District of Pennsylvania on July 20, 2010 on a four-count First Superseding Indictment. They are scheduled to appear in the Eastern District of Michigan on August 5, 2010.

The case is being prosecuted by the U.S. Attorney's Office in the Eastern District of Michigan by Assistant U.S. Attorney Jennifer Blackwell. The case is being investigated by agents with EPA.

An indictment is only a charge and is not evidence of guilt. It will be the government's burden to prove guilty beyond a reasonable doubt.

